

EXHIBIT 38

From: DMCA@DigitalRightsCorp.com
To: abuse@cox.net
Bcc: cc@digitalrights.co
Message-ID: <642638441.67790.1330072589167.JavaMail.root@svn>
Subject: Unauthorized Use of Copyrights RE:
TC-47950ce7-68b8-4594-ba67-18c6116b4a62
MIME-Version: 1.0
Content-Type: text/plain; charset=us-ascii
Content-Transfer-Encoding: 7bit

****NOTE TO ISP: PLEASE FORWARD THE ENTIRE NOTICE****

Re: Unauthorized Use of Copyrights Owned Exclusively by BMG Rights Management (US) LLC

Reference#: TC-47950ce7-68b8-4594-ba67-18c6116b4a62 2012-02-16 01:25:32.0

Dear Sir or Madam:

Your ISP has forwarded you this notice.
This is not spam.

Your ISP account has been used to download, upload or offer for upload copyrighted content in a manner that infringes on the rights of the copyright owner.

Your ISP service could be suspended if this matter is not resolved.
You could be liable for up to \$150,000 per infringement in civil penalties.

The file 205 - Antenna Head.mp3 was infringed upon by a computer at IP Address 174.64.13.245 on 2012-02-16 01:25:32.0 .

We represent the copyright owner.
This notice is an offer of settlement.

If you click on the link below and login to the Rightscorp, Inc. automated settlement system, for \$20 per infringement, you will receive a legal release from the copyright owner.

1. Click on this link or copy and paste into your browser:

<https://secure.digitalrightscorp.com/settle/TC-47950ce7-68b8-4594-ba67-18c6116b4a62>

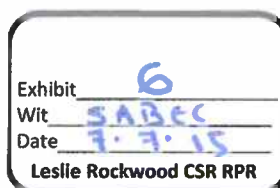
2. Enter this password: 3CDHiG2

Rightscorp, Inc. represents the following 'copyright owner(s)' BMG Rights Management (US) LLC ('BMG').

BMG is the exclusive owners of copyrights for ZZ Top musical compositions, including the musical compositions listed below. It has come to our attention that Cox Communications is the service provider for the IP address listed below, from which unauthorized copying and distribution (downloading, uploading, file serving, file 'swapping' or other similar activities) of BMG's exclusive copyrights listed below is taking place.

This unauthorized copying and/or distribution constitutes copyright infringement under the U.S. Copyright Act. Pursuant to 17 U.S.C. 512(c), this letter serves as actual notice of infringement. We hereby demand you immediately and permanently cease and desist the unauthorized copying and/or distribution (including, but not limited to downloading, uploading, file sharing, file 'swapping' or other similar activities) of recordings of ZZ Top compositions, including but not limited to those items listed in this correspondence.

BMG will pursue every available remedy including injunctions and recovery of attorney's fees, costs and any and all other damages which are incurred by BMG as



RGHTS10579202.0001

a result of any action that is commenced against you. Nothing contained or omitted from this letter is, or shall be deemed to be either a full statement of the facts or applicable law, an admission of any fact, or a waiver or limitation of any of BMG's rights or remedies, all of which are specifically retained and reserved. The information in this notification is accurate.

We have a good faith belief that use of the material in the manner complained of herein is not authorized by the copyright owner, its agent, or by operation of law. I swear, under penalty of perjury, that I am authorized to act on behalf of the owner of the exclusive rights that have been infringed. While BMG is entitled to monetary damages from the infringing party under 17 U.S.C. Section 504, The BMG believes that it may be expeditious to settle this matter without the need of costly and time-consuming litigation.

In order to help you avoid further legal action from BMG, we have been authorized to offer a settlement solution that we believe is reasonable for everyone.

To access this settlement offer, please copy and paste the URL below into a browser and follow the instructions for the settlement offer:

<https://secure.digitalrightscorp.com/settle/TC-47950ce7-68b8-4594-ba67-18c6116b4a62>

Password: 3CDHiG2

Very truly yours,

Christopher Sabec

CEO

RightsCorp, Inc.
3100 Donald Douglas Loop, North,
Santa Monica, CA 90405
Telephone: (424) 234-3150

** For any correspondence regarding this case, please send your emails to DMCA@DigitalRightsCorp.com and refer to Notice ID: TC-47950ce7-68b8-4594-ba67-18c6116b4a62.

If you need immediate assistance or if you have general questions please call the number listed above.

Infringement Source: Torrent

Timestamp: 2012-02-16 01:25:32.0 GMT

Infringers IP Address: 174.64.13.245

Infringers Port: 46344

Listing of infringement(s) (Title/File/Name/Timestamp/Hash): Antenna Head | Copy of 01 - 205 - Antenna Head.mp3 | 2012-02-16 01:25:32.0 | SHA1 |

--Start ACNS XML

```
<?xml version="1.0" encoding="iso-8859-1"?>
<Infringement>
<Case>
<ID>TC-47950ce7-68b8-4594-ba67-18c6116b4a62</ID>
<Ref_URL>https://secure.digitalrightscorp.com/settle/TC-47950ce7-68b8-4594-ba67-18c6116b4a62</Ref_URL>
<Status>Pending</Status>
```

```

</Case>
<Complainant>
<Entity>Rightscorp, Inc.</Entity>
<Contact>Rightscorp Manager</Contact>
<Address>3100 Donald Douglas Loop, North, Santa Monica, CA 90405 UNITED
STATES</Address>
<Phone>(424) 234-3150</Phone>
<Email>contact@digitalrightscorp.com</Email>
</Complainant>
<Service_Provider>
<Entity>Cox Communications</Entity>
<Email>abuse@cox.net</Email>
</Service_Provider>
<Source>
<TimeStamp>2012-02-16 01:25:32.0 GMT</TimeStamp>
<IP_Address>174.64.13.245</IP_Address>
<Port>46344</Port>
<DNS_Name>174.64.13.245:46344</DNS_Name>
<Type>Torrent</Type>
<URL_Base>https://secure.digitalrightscorp.com/settle/TC-47950ce7-68b8-4594-ba67-
18c6116b4a62</URL_Base>
<UserName>TC-47950ce7-68b8-4594-ba67-18c6116b4a62</UserName>
<Number_Files>1</Number_Files>
<Login Username="TC-47950ce7-68b8-4594-ba67-18c6116b4a62" Password="3CDHiG2" />
</Source>
<Content>
<Item>
<TimeStamp>2012-02-16 01:25:32.0 GMT</TimeStamp>
<Title>Antenna Head</Title>
<Artist>ZZ Top</Artist>
<FileName>Copy of 01 - 205 - Antenna Head.mp3</FileName>
<FileSize>11,324,621 bytes</FileSize>
<Hash Type="Hash">SHA1</Hash>
</Item>
</Content>
</Infringement>

```

--End ACNS XML